

Circular
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Soil (04/2005)

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine
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HOW TO IMPORT FOREIGN SOIL and HOW TO MOVE SOIL within the UNITED STATES

Why is soil regulated?

Soil can contain numerous diseases and pests such as: Animal and plant viruses, bacteria, fungi, nematodes, noxious weeds, and the life stages of destructive insects. In addition, screening soil for the spectrum of organisms which might be harmful is expensive. Therefore, soil from almost all foreign countries and from many States of the US can move only if conditions and safeguards prescribed by the US Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) are met. CFR 330.300 lists the federal authority for these conditions and safeguards. APHIS regulations protect US agriculture from the introduction of destructive plant and animal diseases and pests.

This circular answers the most common questions on how to import and move soil.

What is soil?

Mixes of inorganic and organic materials, when the organic materials are unidentifiable plant and/or animal parts. This mixture can support biological activity and therefore carry and introduce harmful pests or diseases. Examples of soil are: Topsoil, forest litter, wood or plant compost, humus, and earthworm castings.

What is **not** soil?

Materials free of organic matter, such as: pure sand, clay (laterites, bentonite, china clay, attapulgite, tierrafino, etc.), talc, rocks, volcanic pumice, chalk, salt, iron ore and gravel. These materials must be mined or collected so they are free of organic material, such as roots, grasses, or leaf litter.

Fertilizers that contain minerals, bone meal and crushed grain **are not soil**. However grains in the mix may be regulated if they lack processing that prevents sprouting. Authorities for regulating imported grains are - corn relatives (CFR 319.24 & 41), rice relatives (CFR 319.55) and wheat relatives (CFR 319.59).

What has or may have organic matter in it and may be considered soil, but PPQ has determined **is exempt from USDA soil regulations?**

The following items **are exempt**:

- Peat, cosmetic mud, and other mud products from fresh water or the earth's upper surface, if processed to a uniform consistency, and **free of plant parts or seeds**.
- Volcanic rock, pumice, geologic samples, drilling cores, or mud, if mined so it is free of organic material.
- Single shipments of very small amounts of soil; e.g. less than a quarter pound of soil, from religious or gravesites, if kept indoors (at a shrine, etc.)
- Any sediment, muds, or rock from the **salt water oceans** of the earth.

NOTE: All shipments may be inspected at a US port to identify the material and verify it is free of pests and prohibited contaminants. A shipment may be refused entry or require treatment based upon inspection findings.

What are the common treatments or conditions that allow soil to move into and through the US?

Soil must move in leak-proof container that can withstand shipping. Soil must be treated before disposal or further use in the US. Two treatments are authorized for soil: (1) Dry heat at 250° F. for at least two hours, (2) Steam heat at the same temperature for 30 minutes with 15" pressure.

Other treatments and conditions maybe required or approved such as, destructive analysis, acid washing, irradiation, and boiling. Under laboratory conditions, small amounts of soil in water may be flushed into sewage drains, if the water is processed in a tertiary treatment system, (such as a municipal sewage system).

Who does these treatments?

You have three options for treating your soil--

OPTION 1. USDA-APHIS-PPQ offices at some US ports of entry (Plant Inspection Stations) can perform the treatment **at no cost**, if:

- Your shipment is 3 pounds or less.
- You checked with PPQ in advance and determined that treatment equipment is available and your shipment can meet the ports conditions (your soil is in a cloth bag within a **sturdy, leak-proof container**, which can be heat treated without removing the soil).
- You completed a PPQ Form 525-A. (download this form from the Internet at: <http://www.aphis.usda.gov/ppq/permits/index.html>) and received a permit.
- You paid forwarding costs for the shipment after it is treated and released by PPQ.
- Notes, labels, or reference materials related to the shipment are separate from the shipment, or resistant to steam heat and dry heat. This prevents loss of important information.
- A copy of the permit and label is with each shipment.
- For mail, express, or freight shipments, place the PPQ Form 550 label or 508 form on the outside of package(s) along with a copy of the soil permit.

NOTE: Arrangements must be made with port office prior to shipment.

OPTION 2. Numerous commercial, university, and state facilities are qualified as soil laboratories by USDA-APHIS and may **treat any size** of soil shipment. For a list of Soil Labs in your destination state, see <http://www.aphis.usda.gov/ppq/permits/soil/>. These facilities often charge for their services and will tell you how to ship your samples to allow movement to their facilities.

OPTION 3. You may become an Approved Soil Laboratory and receive and treat your shipments. To become qualified, you must;

- Complete a PPQ Form 525-A, Application to Import Soil. Download this form from the Internet at: <http://www.aphis.usda.gov/ppq/permits/index.html>. Send the completed form to USDA-PPQ, State Plant Health Director of the State in which you are located: <http://www.aphis.usda.gov/ppq/sphd/index.html>
- Have a secure, appropriately stocked laboratory for receiving and storing untreated soil. Homes, apartments, conveyances, public facilities, and rented laboratory space are not sufficiently secure to qualify as approved facilities.

- Directly control all areas, activities, equipment, and personnel involved with untreated soil.
- Limit access to the untreated soil to you and a few others who understand the requirements of how to handle the soil.
- Produce security protocols for your packing, shipping, record keeping, storing, treatment, and disposal responsibilities.
- Possess the appropriate treatment equipment.
- Maintain records that describe the weight, general composition, and origin of each incoming shipment. Maintain records that describe the weight, general composition, treatments to sterilize, and destination of each outgoing shipment.
- Allow your facility to be inspected by a PPQ officer and State regulatory official.
- Sign a compliance agreement. This agreement outlines stipulations of the State and Federal regulations that pertain to the movement, tracking, storage, and treatment of soil, and access to your facility and its records by State and federal officials.
- Allow reinspections.
- Allow the identity, location, and permit status for your approved facility to be published as public information. However, PPQ will not give your permit or permit number to the public without your written permission.

Can I maintain untreated samples?

In some cases, yes. Museums, certain laboratories, and other businesses may wish to archive samples that cannot be destroyed or sterilized. If you demonstrate adequate safeguards, you may store untreated soil for an indefinite period of time. However, you must ultimately treat the soil according to the conditions of the permit, even if your permit has expired. Describe safeguards on your permit application.

If your soil is contaminated with hazardous substances that cannot be treated or destroyed, PPQ may authorize small amounts (under 10 pounds) in sealed containers for storage in sites such as EPA approved landfills. Under these circumstances, again you are responsible for the storage site. If you wish to move untreated soil from an approved location, call PPQ. PPQ must first approve the new location.

Untreated soil is not authorized as a growing medium for plants unless the soil is used in controlled conditions within a laboratory or growth chamber. PPQ will not allow greenhouse and field work with untreated soil.

Can I isolate and culture live organisms from soil

Yes, however, the isolation and/or culture of organisms from imported soil must be authorized under a separate permit. A valid PPQ Form 526 (Plant Pest Permit) or other authorization appropriate for the organism(s) in question must be approved before the importation of unsterilized soil for isolation purposes.

If you are importing soils for the purpose of isolating organisms you will need a permit to import plant pests, PPQ Form 526. This permit will tell you how to sterilize your soil after the organisms are extracted.

Apply for a permit to import plant pests by submitting a form 526. Use the Internet at <http://www.aphis.usda.gov/ppq/permits/> and download both forms.

Soil is regulated from what locations?

- All foreign sources, including Hawaii, Guam, Puerto Rico, and the US Virgin Islands.
- Parts of US States (under CFR 301 regulations and quarantines). For more information on which domestic soils are regulated, contact the local Plant Protection and Quarantine (PPQ) office, the PPQ, Permits, Registrations, and Imports staff in Riverdale, Maryland at Area Code (301) 734-8645; fax (301) 734-5786 or the State agricultural officials. (Title 7 of the Code of Federal Regulations (CFR), Part 330.300)

What locations are not regulated?

Most parts of Canada. However, soil from Newfoundland or the Land District of South Saanich on Vancouver Island, British Columbia is regulated. (Title 7 of the Code of Federal Regulations (CFR), Part 330.300).

How quickly can I get a soil permit?

Within 2 weeks, if you are sure a port can do the required treatment and you submit a complete, legible application to the PPQ Permits, Registrations, and Imports staff.

In an hour or less, if you use the services of companies that are approved as soil labs. See <http://www.aphis.usda.gov/ppq/permits/soil/> for a list of Soil laboratories in your destination state. Select a company; obtain a copy of their permit; and a written statement that they will take responsibility for your shipments. Send a copy of their permit, address, and soil label to your foreign shipper. Direct the foreign shipper to attach the permit and label on the outside, and send the shipment to the soil lab.

How long is the soil permit valid?

Usually, 5 years.

How do I cancel my permit?

You may request the termination of your permit in writing. If permit inconsistencies or violations of the permit are reported, APHIS may cancel your permit. Violations may result in **civil or criminal penalties**.

How do I get and complete the application to import soil?

To receive a permit, you must be a resident of the United States. Obtain an application, PPQ Form 525-A, from local PPQ offices, or on the Internet at <http://www.aphis.usda.gov/ppq/bats/permits/forms/>. Read and carefully complete the form. At this time, there is no charge for a soil permit. USDA-APHIS-PPQ will accept facsimile and photocopied forms.

Complete Parts 1 - 14 of the form. Include;

- Your full name, address, phone and fax number
- Type of treatment
- Method of packaging,
- Destination,
- How soil will be used
- Precautions to prevent pest dissemination,
- The method of final disposition.
- The printed name of the applicant who is responsible for the soil.
- If you wish to import from numerous countries, list various under country of origin.

What are my responsibilities when I receive my permit?

- **Follow all instructions** on your permit and your compliance agreement.
- **Don't allow others to use your permit without your written consent**, as you may be held liable for their actions or pest outbreaks caused by their errors.
- Renew or amend your permit as necessary. (To renew, submit a copy of your permit along with a written letterhead renewal statement (i.e., please renew my permit (this procedure is for valid permits that have not been expired for more than 6 months, the address listed on the permit has not changed, and the individual listed on the permit also has not changed).
- If the aforementioned does not apply submit a PPQ Form 525-A to your local area USDA. At this time PPQ cannot notify you when your permit expires.